



\$ SELECTED #3

PATENT

Attorney Docket No. 16683-1-2

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Box Missing Parts, Assistant Commissioner of Patents, Washington, D.C. 20231, on May 3, 1999.

TOWNSEND and TOWNSEND and CREW LLP

By *John Chelton*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                            |   |                                     |
|----------------------------|---|-------------------------------------|
| In re application of:      | ) |                                     |
|                            | ) |                                     |
| GERALD BLATT               | ) | Art Unit 3738                       |
|                            | ) |                                     |
| Serial No. 09/289,000      | ) | RESPONSE TO NOTICE TO FILE          |
|                            | ) | <u>MISSING PARTS OF APPLICATION</u> |
| Filed: February 25, 1997   | ) |                                     |
|                            | ) |                                     |
| For: JOINT TREATING METHOD | ) |                                     |
|                            | ) |                                     |

San Francisco, CA 94111  
May 3, 1999

Box Missing Parts  
Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

This responds to the Notice dated April 20, 1999, which requires the payment of the filing fee for the above-captioned application.

Attached hereto is a copy of applicant's small entity statement dated May 22, 1995 that was filed with the original parent application for this case (Serial No. 08/452,227 on May 26, 1995).

The Commissioner is further authorized to charge the small entity filing fee of \$385, and any additional fee that may be due during the pendency of this application, to Deposit Account No. 20-1430 of the undersigned.

A copy of the Notice is also attached hereto.


Serial No. 09/289,000

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If the Examiner feels for any reason that a personal communication would expedite the prosecution of this application, the Examiner is invited to contact the undersigned at the telephone number below.

Respectfully submitted,

By

  
J. George Seka  
Reg. No. 24,491

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, CA 94111-3834  
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UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO./TITLE |
|--------------------|---------------------|-----------------------|---------------------------|
| 09/289,000         | 02/25/97            | BLATT                 | G 16683-1-2               |

0222/0420  
TOWNSEND AND TOWNSEND AND CREW  
TWO EMBARCADERO CENTER, 8TH FLOOR  
SAN FRANCISCO, CA 94105



NOT ASSIGNED

3738

DATE MAILED:

04/20/99

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a  
☐ small entity (statement filed) ☒ non-small entity is \$ 900.

☒ 1. The statutory basic filing fee is:

- ☒ missing.  
☐ insufficient.

Applicant must submit \$ 770 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. The following additional claims fees are due:

\$ \_\_\_\_\_ for \_\_\_\_\_ total claims over 20.

\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☐ 3. The oath or declaration:

- ☐ is missing or unsigned.  
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.200(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

B. DAVENPORT  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

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